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WASHINGTON, D.C. 20231
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New York, NY 10016

In re Application of	:	DECISION
PARIS et al.	:	
Application No.: 09/423,109	:	
PCT No.: PCT/FR99/02588	:	
Int. Filing Date: 25 October 1999	:	
Priority Date: None	:	
Attorney Docket No.: GEI-073	:	
For: NEW HORMONAL COMPOSITION AND	:	
ITS USE	:	

This is a decision on applicants' response to the Notification of Missing Requirements filed 08 August 2001.

BACKGROUND

On 25 October 1999, applicants filed international application PCT/FR99/02588. A copy of the international application was communicated to the USPTO from the International Bureau on 03 May 2001. The twenty-month period for paying the basic national fee in the United States expired at midnight on 25 June 2001.

On 29 October 1999, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a translation of the international application into English, and an oath or declaration of the inventors.

On 12 June 2001, applicants submitted a new declaration of inventors.

On 02 August 2001, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that the oath or declaration does not comply with 37 CFR 1.497(a)-(b) because it failed to identify the application to which it was directed.

On 08 August 2001, applicants submitted the instant response to the Notification of Missing Requirements urging that the declaration filed 12 June 2001 did correctly identify the application to which it was directed.

On 26 October 2001, applicants submitted an express request to begin national examination procedures.

DISCUSSION

The NOTIFICATION OF MISSING REQUIREMENTS mailed 02 August 2001 did not specify if it was referring to the declaration of inventors filed 29 October 1999 or the declaration of inventors filed 12 June 2001. While the declaration filed 29 October 1999 failed to correctly identify the application, the declaration filed 12 June 2001 did correctly identify the application. Accordingly, the NOTIFICATION OF MISSING REQUIREMENTS mailed 02 August 2001 is hereby VACATED.

CONCLUSION

The NOTIFICATION OF MISSING REQUIREMENTS mailed 02 August 2001 hereby VACATED.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of this letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application including according the application a 35 U.S.C. 371(c) date of 12 June 2001.



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